

REMARKS

Claims 61-63 are in the case. The Examiner rejected claims 20-60 on the basis of double patenting and under 35 U.S.C. §§ 102 and 103. Claims 20-60 have been cancelled in favor of new claims 61-63. Reconsideration of the Amended Application is respectfully requested.

As to the double patenting rejection concerning U.S. Patent No. 5,761,648, applicants agree to provide an appropriate terminal disclaimer upon notification of allowable subject matter.

As to the double patenting rejection concerning Application No. 09/484,290 (now Serial No. 10/438,582), without waiving the right to argue patentable differences, following the procedure recited in MPEP § 804, since the Examiner has both this application and the '582 application, she will know whether it is proper to maintain the rejection in light of status of these cases.

With reference to the rejections based upon prior art, applicants respectfully suggest that new claims 61-63 define both a novel and nonobvious advance in the art. Claim 61 is directed to a coupon distribution and redemption process wherein the coupons are not only targeted based upon presubmitted profile data, but also the coupons are automatically redeemed by the remote users when the purchase transaction is completed using a credit card. This invention finds support in the specification at pages 9 and 10 and in Figure 1 of the drawings.

Attorney Docket  
No. 2166CON2C

The Examiner should recognize that the presently pending claims require more than merely presenting a credit card for identification; rather, the claim describe a process whereby an earlier selected coupon is automatically redeemed when the consumer purchases the product specified in the coupon through use of a credit card. None of the prior art of record discloses or even suggests such a process. Accordingly, applicants respectfully request an early indication of allowable subject matter.

Applicants also direct the Examiner to the August 27, 2003 Office Action in co-pending Serial No. 10/438,582 application. The Examiner should also consider the materials contained in the merged Reexamination Control Nos. 90/005773 and 90/005641 for reexamination of the '648 patent.

As the Examiner knows, there is a substantial body of prior art cited in this application, the referenced co-pending application and the referenced co-pending reexamination proceedings. Applicants urge the Examiner to consider all of this art, and if applicants can assist the Examiner in any way, a request for such assistance should be addressed to applicants undersigned attorney.

Respectfully submitted,



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